Water Quality Standards Advisory Committee
Meeting Minutes

December 17, 2002

Members Present:

Wendall Berry	NH Lakes Association
Steve Clifton	Consulting Engineers of NH
Robert Fawcett	NH Fish & Game Department
John Hodsdon	NH Farm Bureau
Francesca Latawiec	NH Office of State Planning
David Miller	NH Water Works Association
Eileen Miller	NH Association of Conservation Districts
Marjory Swope	NH Association of Conservation Commission

Members Absent:

William Beckwith	US Environmental Protection Agency
Michael Donahue	Business and Industry Association of NH
John Dreisig	NH Public Health – Risk Assessment
Tim Fortier	NH Travel Council
Nancy Girard	Conservation Law Foundation
Donna Hanscom	NH Water Pollution Control Association
Ken Kimball	Appalachian Mountain Club
Vernon Lang	US Fish and Wildlife Service
Bill McDowell	University of New Hampshire
Carl Paulsen	NH Rivers Council
Peter Rice	NH Municipal Association
Jasen Stock	NH Timberland Owners Association

Others Present:

Michelle Daley	UNH Dept of Natural Resources
William Daly	Salem Water Works
Robert S. Fawcett	NH Fish & Game
Mike Giaimo	BIA member (representing BIA for Mr. Donahue)
William Heinz	Granite State Hydropower Association
Victor Krea	Wright-Pierce
Allan Palmer	Public Service Company of NH
Ronald Rayner	Environmental consultant/BIA member
William Schroeder	Canobie Lake Protective Association
Anthony Zuena	SEA Consultants, Inc.

DES Staff Present:

Paul Currier	Admr., Watershed Management Bureau
Greg Comstock	Watershed Management Bureau
Bob Estabrook	Watershed Management Bureau
Ken Edwardson	Watershed Management Bureau
Marie LosKamp	Exec. Secretary, Watershed Management Bureau
George Berlandi	Wastewater Engineering Bureau

Introductions/May 15, 2002 Minutes

Marjory Swope, Chairperson, called the meeting to order, began with introductions, and then requested the committee's approval of the 5/15/02 minutes:

Steve Clifton moved to accept the minutes of May 15, 2002. John Hodsdon seconded the motion and the vote was unanimous.

Update on DES Activities Related to WQ Standards:

- **2002 305(b) and 303(d) Surface Water Quality Assessment – Overview by Gregg Comstock**
  This year DES incorporated new improvements into the assessment methodology, and improved how the results are presented. Two sections of the Clean Water Act require the reporting of water quality and the listing of impaired waters. The 305(b) report describes the quality of surface waters in the state and the 303(d) list is a list of impaired or threatened waters that need a Total Maximum Daily Load (TMDL) study to restore impaired waters. Under the Clean Water Act, every 2 years these 2 reports need to be submitted to EPA. The purpose of the presentation was to notify the WQSAC that the draft of the 2002 Surface Water Quality Assessment, and the Consolidated Assessment and Listing Methodology is out for public review and comment until January 31, 2003 on the DES web site. Gregg provided a brief overview of the Consolidated Assessment and Listing Methodology (CALM), which is a document that describes in great detail the process used to make assessments for 305(b) reporting and 303(d) listing. It was developed to promote consistency in assessments and to show the public how assessments are made. This year all the assessment units are linked to new assessment database and GIS so we now have a link between the Assessment Database (ADB) and NHD coverage to facilitate mapping. He also went over how to access this information on the DES website including lists and maps by designated uses, (he noted that maps do not include mercury fish consumption advisory which impacts all surface waters), and guidance for submitting comments**.**

  Comment: Ron Rayner stated that the report may lead to erroneous conclusions. He would fully expect some waters in the state to be impaired with dioxin and certainly more with mercury, but he would not expect the entire coastal area to be impaired. **Gregg commented** that there is also a PCB advisory**. Paul Currier stated** that it is true the Health Advisory is for any lobster caught in New Hampshire waters. The advisory is "do not eat the tamale," and that means that all of New Hampshire waters are impaired for lobster consumption. You cannot eat all of the parts of a lobster because of the dioxin contamination that resulted in the health advisory. Recognizing that there was not much information and it is old, the health advisory remains until Health & Human Services receives new information and goes through their risk assessment and issues a new advisory. So it really is 100% of the water that is impaired.

  Questions - Regarding the 6 uses, it doesn't appear that you assess the wildlife use. **Answer:** Gregg stated that is correct. **Question:** Shellfish and fish consumption, are they also assessed via Health and Human Services guidelines and standards? **Answer:** Gregg – Yes, but there is also the National Shellfish Sanitation Program (NSSP). DES has a shellfish program under Chris Nash that samples bacteria in shellfish areas. NSSP guidelines are used to determine what beds should be open or closed due to bacteria. **Question:** Aquatic life use, that is based upon water quality criteria? **Answer:** Yes. **Question:** The primary contact is? **Answer:** Primarily bacteria, but we have designated beaches where sampling resulted in a recommendation to post the beach and we considered that to be an impairment. **Question:** What would prevent somebody from secondary contact? Can you give an example? **Answer:** It is like an incidental contact with water (wading, boating) versus full immersion that would be primary contact recreation.

  Comment: Ron Rayner stated that it shows a fair amount of effort went into this and is intrigued by the combining of the two into one submittal. His concern generally speaking is how this is going to be used. Will it be used as a guidepost to judge and guide us to where data is insufficient and where we should look to improving data collection and biology, or is it also going to be used in possible enforcement motives to force someone to go to DNR, or to treat a discharge with PCBs when in fact the data really doesn't support that? He Sensed that it is difficult to strive for balance. For instance if the Tourism Department saw that shellfishing and fish consumption is 100% non-supporting throughout the entire State of New Hampshire, it might upset them a little bit. If we were in lower Merrimack, we probably might eat the fish, but we wouldn't eat it everyday. There is no mention in footnotes that yes you are able to eat fish, but we recommend that you do it in a manner that is not repetitive or for pregnant women. He doesn't see that balance. **Answer:** Gregg – that was the

previous 305(b) report, we did have that narrow an aspect of it. Yes you are right, it is not in this report. Fish consumption in the past has been for the whole state. This is not something new. **Comment:** Paul Currier, the first thing that we are going to do is use this to drive decision making about priorities and locations for sampling. The second point, can this information be used for enforcement? Two cases - the 4(c) list is a no brainer, you have a pipe with raw sewage coming out, the enforcement is obvious. The other case is you are on the 303(d) list, you cannot get to somebody without doing the TMDL. The TMDL is the vehicle for decision making about the impairment, about the source or sources of the impairment and who owns it. With this assessment process, you cannot get to enforcement to remedial action without going through the TMDL.

Question: Allan Palmer – Wouldn't someone look at this and say we have 100% impairment for mercury, PCBs and dioxin in the Piscataqua Estuary? We should do a TMDL in that area, if we don't pass, crack down on discharges into that estuary. **Answer:** Gregg stated that our recommendation for those areas is that the EPA takes the lead with TMDLs as it is a regional type issue. It is not just New Hampshire. We don't have control over all the pollutants and sources.

Question: Michelle Daley – Is there any provision in the assessment where say nitrate in a stream was increasing over time but wasn't at a level you would consider impaired yet. Iis there any provision that would say lets check this out, what can we do now before it gets on the list? **Answer:** Gregg stated that the CALM document is a living document and there is room for improvement in the future. Trends are something that we haven't addressed. We have not got to that point. We don't have enough data, but it is something we want to take a serious look at and get a handle on. On the coast, we have a person whose job is to work on monitoring programs to identify gaps, look at trends and try to catch problems before they become problems.

Question: Alan Palmer **–** If there was a work group looking at the water quality standards of the surface waters of the State of New Hampshire, would they use data that is contained in this study to determine areas that they might want to focus on to try and help resolve or repair these violations? **Answer:** Gregg – we are going to be using this as a starting point for guiding our monitoring. We have gaps. **Comment:** Paul Currier – one of the things, not the assessment itself but the CALM or listing methodology does, is if you are in a particular watershed and you want to know what the critical amount of data is that will let you evaluate your waters, we now have that information. This should drive data collection for decision making.

- **Water Quality Standards Advisory Committee– Overview by Paul Currier**

  Water quality standards apply to the ambient condition, the condition as it exists in the outside world in nature. They can be physical, chemical, biological, or tissue standards. They apply to the whole aquatic ecosystem, not just the water column. Traditionally, when clean water rights started, the focus was on the water column. In recent years it has broadened somewhat. DES recently issued a sediment policy. Water quality standards include the sediments and they include the sediments for the organisms that live in the sediments as well as for organisms that may live in the water column that are impacted by the sediments. Water quality standards also go beyond the water itself to the adjacent riparian zone, for uses such as wildlife and criteria such as canopy cover. In the riparian zone they apply to amphibious organisms that may live part of their life cycle in the water or sediments and to wildlife that are water dependent. Water-dependent wildlife may get their food from plants or animals that live in the water. Loons, otters, minks, ospreys, beavers, and raccoons are good examples. This is the scope of the water quality standards. Water quality standards exist in two places, the statute and the regulations. They can include both narrative standards and numeric standards. The WQSAC is an informal committee that agrees to meet at the request of DES. It includes both members and volunteers and we really want to use this committee as a forum for discussion of DES proposed changes to the water quality standards and to make recommendations to us. We hope that members of this committee feel they represent a constituency and will take it upon themselves to network with their constituency so that they are giving us feedback that is representative of the constituency. We would like to use the WQSAC as a forum for communication

through members of this committee to your constituencies so that we have a dialog going. We have just talked about the 303(d)list; in a minute we will talk about nutrient criteria and water transfers. This is for information purposes. We have been working for a long time on numeric biological criteria. These are also mentioned in the Nutrient Plan. We hope to have in a year biological criteria for wadeable streams. There are a lot of things that this committee has talked about in previous meetings. We want to put those things on the back burner because we have higher priority items that we need to work on. They haven't gone away. We want to keep them on the list of things that this committee has on its input queue to work on at a later date. They include temperature standards, flow based permits, dissolved oxygen and discussions on mercury which were previously dropped.

- **Nutrient Criteria – Overview by Paul Currier**
  Everyone should have received the Nutrient Criteria Plan by e-mail. This is something that EPA has been pushing for awhile. We have spent about a year getting that plan to them. We have submitted a draft plan to EPA, which is subject to change. The idea of the Nutrient Criteria Plan is that it is a living document. EPA basically wants all states to have numeric criteria by 2004 or, if not, to have a plan that EPA knows about and a schedule for getting there. EPA approached nutrient criteria by dividing the country up into eco-regions. They have done a statistical analysis on nitrogen, phosphorus, chlorophyll, and clarity data by eco-regions and they have suggested that states set numerical values for those 4 parameters at either the 25% of reference sites or 75% of all sites value in their database. We don't agree with that approach. They give opportunity in their guidance for states that do not agree with that approach. We have proposed instead to use only chlorophyll as our nutrient numeric standard. The reason we propose to do that is that generally chlorophyll is what drives the support or non-support of the designated use. Mostly the designated uses that we are talking about are swimming and biology (aquatic life). If the water gets too green, people don't want to swim in it. If the water gets too green there are often dissolved oxygen ramifications to that and the appropriate organisms cannot live in it. In our opinion, clarity by itself does not impair a designated use. The existence of a particular concentration of phosphorus, by itself, does not impair a designated use; and generally in fresh waters, nitrogen is not limiting, so we don't really care in fresh water; this is not true in salt waters. What we propose is a 2 step process to set interim values for chlorophyll. (Go to the CALM that Gregg talked about and you can see that we have already done that in an informal way for lakes in our assessment methodology for the current 305(b) report.) We set interim standards using interim values and do these by waterbody types – first lakes, then rivers and estuaries, and impoundments. That will serve as a step toward final criteria, calculating relationships between the parameters, which we will do after considerable study and data gathering. We don't have a lot of data on those 4 parameters, especially for fresh water. We propose to implement those interim criteria using a policy. We wouldn't change the law and we wouldn't revise the rules - the rules right now have narrative criteria for nutrients; but we would create a written document policy that would put numbers on the narrative standards for nutrients that are in our rules. This is similar to what we have done recently in creating the sediment policy that takes narrative standards for sediment quality and translates them into a process that uses numbers.

  Question: John Hodsdon – I am not sure I understand EPA's methodology as you described it. But trying to read between the lines, it looks like they are coming up with 25% of the waters of a category are impaired irrespective of whether they are all pristine, or all have industrial solvents running into them or whatever. **Answer:** Paul Currier – that was our basic problem with the statistical approach. Reference sites, which by definition are supposed to be sites that are good water quality that you would think would meet standards, if you use the statistical approach, 25% of the reference sites would be considered impaired. We didn't think that was reasonable because when we pick a reference site, we pick it because we are pretty darn sure it is not impaired. **Comment:** John Hodsdon agrees that is not reasonable. So maybe I did understand what EPA is trying to say.

  Question: Steve Clifton – Paul, will all point sources have nitrogen and phosphorus limits in the future? **Answer:** Paul, it is likely that over time there will be increasing phosphorus limits on treatment plants that discharge to rivers. The reason that we propose to use chlorophyll only, one of

the driving reasons was, as soon as we set any kind of limit for phosphorus, we couldn't figure EPA was not going to tell us to apply that to every treatment plant in New Hampshire. Having gone through the TMDL process, we recognized how river specific that is, so we didn't want to go there. Of the TMDLs that we are doing, it does appear that a fair number of the discharges to smaller rivers create water quality limitations due to dissolved oxygen.

Question: Bill Schroeder – sounds like you are saying, you propose that we look at chlorophyll only and not phosphorus and nitrogen. I am wondering if phosphorus and nitrogen are possibly leading indicators. When the water is green, you have the problem. Phosphorus and nitrogen might be leading indicators, is that possible? **Answer:** Paul – Yes, as a matter of fact, the EPA describes the 4 parameters as cause variables and response variables and there are two of each. Phosphorus and nitrogen are cause variables and clarity and chlorophyll are response variables. The point being that what impairs the use is the response. We don't propose not to collect data on phosphorus and we don't propose that phosphorus is not important. It is phosphorus that causes the production of algae that causes the use to be impaired. In order to set a standard, we need a defined relationship for a particular waterbody type or for a particular subset of a waterbody type, between phosphorus and the response variable. We don't have enough data to do that. We propose to design a data collection system that will get us there, but it will take us years.

Question: Ron Rayner – Not surprised to hear you say that, that yes down the road we will likely have limits on nitrogen and more importantly phosphorus. Recognizing that and the deficiency in data that we have, and that EPA may choose to uniformly enforce the phosphorous limits, would you even suggest an interim? **Answer:** Paul, we are not going to. **Question:** Would it not be prudent for you to either a) go through the reopener clause and suggest to municipalities that they begin at least monitoring the nitrogen and phosphorus or b) since that would invoke EPA participation, send out a letter suggesting that they voluntarily do so because even though you are not mandated by your permit to do so now, this data may help you 5 to 10 years down the road? We are always hammered by insufficient data in this state, so if most DPW folks would be receptive to this and might be able to begin to budget for it. **Answer:** Paul: right, the usual place in a river that excessive phosphorus shows up, is in dissolved oxygen violations somewhere downstream in a slow moving section or an impoundment. I think what we are doing and what we propose to do in the future, is part of our overall monitoring strategy to look more closely in the summer time when DO is more likely to go down. We will look more closely at slow moving segments and boundary waters where there might be a problem. Doing that, I expect that we will find them, and will prioritize those relative to the severity. That is really what we are doing now. You need to look for dissolved oxygen violations in the summer time when it is warm and slow flowing. **Comment:** Ron Rayner: I think it would behoove larger POTWs or those on smaller rivers to do this. My approach would be to have a letter sent out and ask them to voluntarily do this, and though most may say initially are you kidding, but if they saw the implications of what it would have down the road, it would likely be in their best interests to do so. **Answer:** Vic Krea: that is actually happening in a lot of permits already.

Question: Vic Krea – When you talk about future nitrogen limits as a nutrient, I assume we are talking about denitrification turning up in future permits or is that going too far? **Answer:** Paul: nitrogen really is not a problem in any fresh water. You can get nitrogen limitation in fresh waters, but we not aware of any. Where nitrogen comes in to play, and it is already coming into play on the Connecticut, is where you have nitrogen loading to salt water from the fresh water system. We are watching that in Great Bay. There is talk of doing a modeling effort there. For Long Island Sound, Connecticut and New York have already done the modeling effort and we have a load allocation already as a result of their TMDL for Massachusetts, New Hampshire and Vermont. We have to figure out how to allocate further amongst the states and the treatment plants and other sources.

Question: Marjory Swope – Do we have to get permission from EPA to use the nutrient criteria. **Answer:** Paul: EPA cannot set standards unless the state doesn't do it. The state set standards and EPA determines that what the state did meets the requirements of the Clean Water Act. So in order

for EPA to jump into this, we either have to refuse to set standards, or not do it fast enough, or we have to set standards and EPA will then over file on us. They are reluctant to do that because it is a lot of work for them. What EPA is doing is trying to encourage us and all the other states into moving forward with this problem.

- **Water Transfers – Overview by Paul Currier**
  Water transfers have been going on for a long time. Our rules, our narrative nutrient criteria prohibit new discharges of phosphorus to lakes or ponds, and the problem is that all waters contain phosphorus. So that is a prohibition on water transfers to lakes or ponds. Another issue came up in 1996 with a court case that involved Loon Mountain and the Forest Service and the proposed transfer for snowmaking from East Branch into Loon Pond: the federal judge ruled that NPDES permits were required for water transfers. No water transfers in New Hampshire presently have NPDES permits. Loon Mountain never did pursue that option and never transferred water to Loon Pond. Another issue, ranked in order of stickiness, is the issue of transfer of Class B water to Class A where the standards may differ from Class B to Class A. Fourth on that list is for designated rivers. RSA 483 prohibits interbasin transfer. You cannot transfer water from a designated river out of basin. A basin is a four digit HUC. For waterbodies where an exotic infestation exists in one waterbody, and does not exist in the waterbody to which water is supposed to be transferred, there would be a concern for transferring exotic species. The present rules place restrictions on the transfers of water by rule when the purpose for that transfer is public water supply. To address these issues and to allow consideration of transfer of water from one waterbody to another, we propose to delete the prohibition on new phosphorus discharges to lakes and ponds and the transfer to public water supply section - mostly because a transfer is a transfer. Doesn't matter what the purpose we put the water to. The ambient water quality considerations are the same no matter what the purpose of transfer. We propose to replace the prohibition on phosphorus with an enhanced antidegradation review process, probably using the words in our existing rules. Last, to work with EPA on getting NPDES permits for water transfers.

  Question: Tony Zuena – Paul your earlier comment about exotics being essentially an outright prohibition. How is that going to be addressed in the proposed changes? Are treatment techniques going to be given valid consideration, in particular milfoil and the plants, exotics? **Answer:** Paul: Yes, I think the issue there would be adequate engineering control to ensure that the exotics don't get transferred by the water transfer. We don't have a fully formed policy on this, but in general there are risks of infestation from a variety of sources not the least of which is boating and other activities. I think what we would do is look to engineering control to prevent transfer of exotics.

  Question: Eileen Miller – I have not seen the discussion paper yet, and want to look at that, but I still say that this is a dangerous issue and could spiral itself further. **Answer:** Paul: yes you are not alone. The issue is largely one that times have changed and our understanding of phosphorus loading to lakes and ponds is more mature than it was when the rules were written. The prohibition on phosphorus has basically served New Hampshire very well. We have two permitted discharges to lakes or ponds. We got all the discharges out of the Winnipesaukee basin and no new ones have sprung up. The fact is that the literal reading of the current rules would prohibit all development in watersheds and lakes because development, the disturbance of land, creates an increase in incremental phosphorus load to a lake. We really need to rethink the process so that we can allow reasonable activity in the watershed of a lake, even though we know that it will in fact result in an incremental phosphorus load.

  Question: Wendall Berry – On the discussion paper, point 3 on the list, in terms of enhancing or developing the procedures for antidegradation, can you speculate on a time frame? **Answer:** Paul: I suspect that is going to be driven by Salem's desire to proceed. We can proceed for the rule changes fairly quickly. We have not yet put together a work group to discuss how we are going to use the antidegradation process. The concept would be that we would have some kind of modeling analysis, and second that we would have full public discussion. Antidegradation review provides that limited

degradation of a waterbody can be allowed provided there is economic and social justification. That would be the public discussion and the modeling would provide the framework for it. The first question would be: is there going to be degradation to the waterbody due to the transfer? And the second question would be if the answer to that is yes, do the economic and social reasons to do it, justify the predicted impact on the waterbody?

Question: Anthony Zuena - These transfers, are they pretty much all for augmenting the water supply so that more can be withdrawn from the receiving body? To the extent that is the case, would it make sense to consider that the total amount of phosphorus, not the concentration, added must be less than that withdrawn by the water supply irrigation, or whatever it is they are withdrawing water from the receiving body for. **Answer:** Paul – It is a variety of reasons. That would be the subject of the model. What you really want to access is the impact on the waterbody of the transfer. There are impacts. At Pennichuck Water Works, Bowers Pond turned green this summer downstream of the transfer. They withdrew most of the phosphorus they put in and it went to the City of Nashua but not before it turned Bowers Pond green.

Question: Marjory Swope – My question is the last time I heard anyone from EPA talk about NPDES permits was at a previous meeting and they sounded firm that they were not playing that game. **Answer:** Paul – We had a previous iteration where we gave an emergency exclusion to Salem, or EPA gave an emergency exclusion, so that we could issue an emergency permit to Salem to transfer. It was the exclusion that they are not going to give any more. You have to go through the full NPDES program process. **Question:** Marjory: It is also my recollection at that meeting that there was no process that could result in a permit for such a transfer. I recall that statement from someone from EPA. **Answer:** George – Yes, you are correct. It was Fred Gay and what he was saying was that it would be fruitless for somebody to go through the NPDES permit process for the transfer when our Env-Ws 1700 rules would basically preclude anybody from having a permit. That is what would have stopped the NPDES permit. He said he couldn't do it if he read our rules the way they're written. **Paul** – He is right, we have to change the rules and make these changes. **George –** Once we revise our rules, we cannot do anything without their endorsement and blessing. The only authority that EPA has relative to drafting an NPDES permit is to use the state's standards to draft it. The state's standards allow for the development of an NPDES permit for water transfer. If we allow it, then they have to. **Paul** – I think George is right. The state is the keeper of the water quality standards and now there is a process where EPA can over file on us if we don't do it. To the extent that we are doing it, right now we have EPA approved standards, and both EPA and the state sincerely hope that it stays that way. They have to use those standards and that is the only thing they use in making permits. If you meet the criteria for the permit, you meet the water quality standards and operational stuff, you get the permit. We need to work out with EPA how we go through the process to make the existing transfer legal through a permit or work with the owners of those systems to make modifications. **Question:** Wendall – Where is the definition of naturally occurring phosphorus? **Answer:** Paul – if you can figure that out, we would like to know. Naturally occurring has been the subject of a fair amount of discussion. It doesn't just occur for phosphorus. It is easy to say and very difficult to determine. Most discussions I have had, especially with EPA, naturally occurring tends to mean in the absence of human presence and activity. If you use that definition, and it is common if you go to the literature, you will find that there aren't many watersheds in New Hampshire where the concentration of phosphorus that you are measuring is naturally occurring. **Question:** On the bulleted item "Work with EPA on NPDES permits", can you elaborate on that, who issues an NPDES permit? **Answer:** Paul – EPA issues the permit. DES staff works cooperatively with EPA in the development of the permit. Ultimately, there is a certification step in the permit. The permit cannot get issued unless the state certifies that the limits in the permit would result in compliance with surface water quality standards. EPA issues the permit and the State of New Hampshire certifies the permit, which is an official document, then the permit is valid. **Question:** John Hodsdon – Would NH be better off if we took over the process of issuing NPDES permits? Do you think the state legislature would provide the money that would be required to do that? **Answer:** George – We tried in the past to collect fees, user charge fees, municipal and

industrial; and we have been very unsuccessful in the legislature. They consider, historically, that it is an unfunded mandate. It is a tax on a municipality. So, I don't see how we could ever take over delegation without having some vehicle to pay for the program. I don't see it happening in the near future. **Question:** Ron Rayner – Did you say that the EPA issues the permit and then the state certifies it? **Answer**: George - We are not a delegated state, so it is EPA's responsibility to issue the permit. They cannot issue a permit until we have certified it against the Water Quality Standards. **Paul –** EPA issues a draft permit; there can be a public hearing or public meeting and there is a mandatory 30 day comment period. **Question:** Anthony Zuena – Paul, I am going to ask the same question again, can you give an estimate for the time frame to move these issues along. **Answer:** Paul - We don't have a specified time frame; we can give you 6 months. The process would be to move along the proposed language change, the limiting factor is probably the discussions on how we are going to use antidegradation. We need to move those along. **Question:** Marjory Swope – was the question how long was that going to take? **Answer/Question:** Anthony Zuena – The question I am specifically asking – I see two points here. One is to modify the language in the regulations specifically pertaining to nutrients to deal with phosphorus. The second point is to work to develop the antidegradation review; assuming that is going to provide some specific guidance as to what the thresholds are going to have to be to get a pass/fail answer. That was really the question, taking it that 6 months is going to be necessary to deal with those issues. **Question:** Marjory Swope – So it would be 6 months before Salem could say we can apply for a permit. **Answer:** Paul – I think that the next step would be the discussion paper on antidegradation, and if we were to set a tentative meeting date for this Committee, that would be the subject. Set a meeting date for March.

Other Business

There was no other business.

Future Meeting Dates and Times

Tuesday, March 11, 2003 1:30 – 4:00 PM at NH Fish & Game, East Side Conference Room.

The meeting adjourned at 3:45 PM